

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

United States of America,) CRIMINAL NO. 3:09-1173-CMC
)
)
 v.) **OPINION and ORDER**
)
)
Roy Wilson Braddock and)
Mary Durden Braddock,)
)
 Defendants.)
)
)

This matter is before the court on Defendants' motion requesting termination of probation. The United States Probation Office has notified the court that it has no opposition to the termination of Defendants' probation; the United States has notified the court that it opposes early termination of probation, noting that the sentence imposed by the court was adequate and that Defendants should serve the entire period of probation imposed.

Title 18 United States Code Section 3564(c) provides that

The court, after considering the factors set forth in section 3553(a) to the extent they are applicable, may . . . terminate a term of probation previously ordered and discharge the defendant at any time . . . after the expiration of one year of probation in the case of a felony, if it is satisfied that such action is warranted by the conduct of the defendant and the interest of justice.

Considerations contained in § 3553 include, *inter alia*, the nature and circumstances of the offense and the history and characteristics of the defendant; the ability to afford adequate deterrence to criminal conduct; the need to protect the public from further crimes of the defendant; and the need to provide the defendant with needed educational or vocational training, medical care, or other correctional treatment in the most effective manner. 18 U.S.C. § 3553.

Defendants have been compliant with the terms of probation, including the payment of all

fines. Accordingly, the court will consider termination of Defendants' probation as of July 16, 2012, provided the United States Probation Office reports no violations of the terms of probation between now and that time. Therefore, Defendants' motion for termination of probation is **denied without prejudice.**

IT IS SO ORDERED.

s/ Cameron McGowan Currie

CAMERON McGOWAN CURRIE

UNITED STATES DISTRICT JUDGE

Columbia, South Carolina
March 7, 2012